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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

LOS ANGELES POLICE PROTECTIVE
LEAGUE

Petitioners,

v.

CITY OF LOS ANGELES, a municipal
corporation

Respondents

ACLU OF SOUTHERN CALIFORNIA and
VALERIE RIVERA,

Intervenors

Case No. 18ST CPO 3495

**DECLARATION OF ERICA RAMOS IN
SUPPORT OF INTERVENORS'
OPPOSITION TO PETITION FOR WRIT
OF MANDATE**

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28 **DECLARATION OF ERICA RAMOS IN SUPPORT OF OPPOSITION TO PETITION FOR
WRIT OF MANDATE**

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18 **DECLARATION OF ERICA RAMOS IN SUPPORT OF OPPOSITION TO PETITION FOR**
19 **WRIT OF MANDATE**

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Declaration of Erica Ramos

I, Erica Ramos, hereby declare:

1. I make this declaration based on my own personal knowledge and if called to testify could and would do so competently as follows:
2. Since May 2018, I have worked as a legal-policy assistant at the American Civil Liberties Union Foundation of Northern California (“ACLU” or “ACLU of Northern California”).
3. Among my responsibilities is to assist ACLU attorneys serving as counsel for intervenors the ACLU and Valerie Rivera (“Ms. Rivera”) in the above-captioned action. One task involved obtaining documents related to the passage of S.B. 1421 (Skinner 2018) in the California State Archives (“the Archives”) in Sacramento. According to the California Secretary of State website, the Archives, “collect[], catalog[], preserve[], and provide[] access to the historic records of state government.” A true and correct copy of the homepage for the Archives is attached as Exhibit A, and is available at:
<https://www.sos.ca.gov/archives/about-archives/>.
4. On January 18 and January 22, 2019, I visited the Archives to obtain copies of documents related to the passage of S.B. 1421. On January 18, Archives staff provided me access to the Senate Public Safety Committee file S.B. 1421 (the “Committee File”). The Committee File included several letters addressed to Senator Skinner by opponents of S.B. 1421. Because of the large number of letters in the Committee File, Archives staff were unable to make photocopies of those letters prior to the filing deadlines in the above captioned case. However, on January 22, Archives staff allowed me to photograph the letters in the Committee File. I photographed every letter in the Committee File stating an organization’s opposition to, or support of, S.B. 1421.
5. A true and correct copy of photographs of the 13 opposition letters from 12 different

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1 organizations¹ I obtained from the Archives are included in the Parties' Legislative
2 History Appendix ("Appendix") on pages 0089-0101 and pages 0103-0110.

3 6. The ACLU also obtained a letter of opposition submitted by the Los Angeles Police
4 Protective League. This letter was obtained from a staff member of Senator Nancy
5 Skinner, who authored S.B. 1421 and served as chair of the Senate Public Safety
6 Committee and received letters of support and opposition in those capacities. This letter
7 was not included in the file provided in the Archives, and is included in the Appendix at
8 page 0102.

9 7. I have reviewed all 14 letters from organizations opposing S.B. 1421. Out of those, six
10 letters, including that of the Los Angeles Police Protective League, used identical
11 language noting S.B. 1421 will make an officers "records . . . available for public
12 inspection irrespective of whether or not they occurred prior to the effective date of SB
13 1421." Appendix at pages 0089, 0090, 0095, 0100, 0101, and 0102. An additional two
14 letters, one from the California Association of Highway Patrolmen and one from the
15 Peace Officers Research Association of California, argued that S.B. 1421 would trigger
16 "a wave of habeas petitions from convicted criminals . . . [and] [c]riminals previously
17 arrested or investigated by an officer who is the subject of misconduct allegations would
18 inundate the court system," implicitly acknowledging that S.B. 1421 must apply to
19 currently existing records of officer misconduct. Appendix at pages 0091 and 0103.
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27 ¹ The Committee File included two letters from the San Bernardino Sheriff-Coroner, one dated June 28,
28 2018 and the other dated April 10, 2018. Appendix at pages 0108-0110.

1 I declare under penalty of perjury of the laws of the State of California and the United States that
2 the foregoing is true and correct to the best of my knowledge and belief. Executed this 23rd day of
3 January, 2019 in Sacramento, California.

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5 Erica Ramos

6 Erica Ramos
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Exhibit A

Alex Padilla
California Secretary of State

What can we help you with?

Search



About the Archives

The California State Archives collects, catalogs, preserves, and provides access to the historic records of state government and some local governments. The Archives collection is primarily composed of records from California state agencies, the governor's office, the state legislature, and the State Supreme Court and Courts of Appeal. The records are organized under the name of the agency or office that transferred the records to the Archives. The collections also include some private papers that have been donated to the Archives.

The State Archives has specialized programs to collect and preserve records of state government. The Legislative Archives Program, Court Records Program and Governor's Records Program work with the three branches of Government to identify records of enduring value that should be preserved in the Archives. The State Records Appraisal Program works to identify and collect records of state agencies.

Each year hundreds of researchers contact and visit the California State Archives seeking documentation to support their historical investigation. Reference Desk staff help researchers identify collections that are most relevant to their area of interest and retrieve those records from a secure storage area for researchers to view in the large Research Room.



Public education and outreach are also important elements of the State Archives' mission. In October of each year, the public can attend the Archives Month Open House, enjoy a behind-the-scenes tour of the facility and learn more about the archival profession and other archival repositories in California.

The State Archives continually works to promote the development of the archival profession through the Western Archives Institute (co-sponsored by the Society of California Archivists) and the Graduate Internship Program.

The State Archives occupies a facility one block south of the State Capitol as part of the Secretary of State office complex. Completed in 1995, the 170,000 square foot building has six floors of environmentally controlled stacks, including a number of specialized vaults, which house the Archives'

collections. The building also has facilities for preservation and research use of archival materials.

Laws & Public Records

Since California became a state in 1850, the State Archives has served as the repository for many significant records relating to state laws and legislation. The State Archives is home to original bills signed into law by the Governor and chaptered by the Secretary of State, original bill proposals from the State Senate and State Assembly, opinions of the State Supreme Court and Courts of Appeal, and bill files from legislators and legislative committees. Taken together, these records represent the legal foundation of state government and are frequently used by the courts, the legal community, state and local governments, and the public.

The Act Concerning the Public Archives (PDF) (https://archives.cdn.sos.ca.gov/laws/Chapter_1.pdf), created in 1850, established a public archives under the Secretary of State to ensure California's history would be preserved.

Today two laws are fundamental to the public's right to access public records, the **California Public Records Act** (<http://leginfo.legislature.ca.gov/faces/codes.xhtml>) (Government Code section 6250 et seq) and the **California Information Practices Act** (<http://leginfo.legislature.ca.gov/faces/codes.xhtml>)(Civil Code section 1798 et seq). A summary of the Public Records Act can be found on the **Attorney General's** (http://oag.ca.gov/sites/all/files/agweb/pdfs/publications/summary_public_records_act.pdf?) (opens new window) website.

California's **Replevin Law** (</archives/laws/replevin/>) enables state and local government agencies to recover public records that are being held unlawfully and makes it illegal for private parties to possess state or local government records.